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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,799	10/17/2000	Jeffry Batio	94841	3187
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WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			SHAPIRO, LEONID	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/690,799	Applicant(s) BATIO, JEFFRY	
	Examiner Leonid Shapiro	Art Unit 2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004 and 20 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations of claim 1, 9, 12 and 14: "pivot-mounting means mounting said display screen for rotation in at least two planes, said at least two planes being perpendicular to each other" and a hollow compartment to facilitate positioning, alignment and storage of display screen" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms, which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: the drawings are only described in the brief description of the drawings. There is no other description of the drawing in the specification. The drawing has to be described in detail so that examiner can relate the specification to the drawings. It is also noted by the examiner that the limitations of the claims have to be shown on the drawings which is not clear to the examiner because no detail description to the drawings in the specification. The specification also includes marked-up copy and not a clean copy. The marked-up copy includes some alterations and additions to the specification. The examiner respectfully requests a clean copy. The last paragraph of page 36 of applicant's specifications states "As is first described on page 5 of the application," it is not proper to refer to a certain page in the specification since in case of having the application allowed; a different print will switch the page numbers. In conclusion, the specification, the drawings and the claims seem to be unconnected to each other because as discussed above, the drawings are not described in detail and therefore, the claims are not clearly described in the enlightenment of the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-5, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huilgol et al. (US patent NO. 5,708,561; hereinafter referred to as Huilgol) in view of Winkler (US patent NO. 5,345,362).

As to independent claim 2, Huilgol (figure 1) teaches a portable computer (10) having a main frame (20) and a display screen means (display 14 and cover 12 and rearward portion) (col. 4, line 63 through col. 5, line 2). Huilgol teaches that the display screen means comprising a pivot mounting means operatively connected to a portion of the main frame (for that, Huilgol shows that the cover (12) comprises a second rearward portion 32 which is pivotally connected to the base 20) (col. 5, lines 34-37), and a pivotal display screen (14) rotatably coupled to the main frame (20) (col. 4, line 65 through col. 5, line 2). Huilgol teaches that the pivot mount-mounting means mounting the display screen for rotation in at least two planes, the two planes being perpendicular to each other (the first plan is the plan created by closing and opening the display screen, and the second plane is the plan created by rotating the display as seen in figure 1 and then figure 10) (col. 5, lines 26-33 and abstract). Huilgol teaches a mounting arm (facing portion 32) having a first end connected to a portion (connected mechanism portion 16) of the main frame (figure 1 and col. 5, lines 34-37), and a

second end connected to a portion of the display screen means (figure 2 shows the cover 12 which is connected to the screen 14, and a swivel (pivot) arrangement 28 that connect the mounting arm 32 to the display 14) (col. 5, lines 24-28), and further comprising a first pivot mount for pivotally mounting the display screen to the main frame (col. 4, line 65 to col. 5, line 2) and second pivot (swivel 28) for pivotally mounting the display screen for movement in both planes (col. 5, lines 24-33), wherein the pivot mount allowing the rotation of the display screen in the other plane so that display screen may assume one of portrait orientation and landscape orientation (col. 5, lines 24-33).

As can be seen Huilgol teaches all the limitations of claim 2 except the newly introduced limitation about a hollow compartment to facilitate positioning, alignment and storage of display screen.

However, Winkler (figures 8, 11-13 and 14a-14c) teaches a portable computer (10) that includes a hollow compartment (the hollow space where the display 16 can be stored; seen specifically in figures 11-13 where the display is in open position, and seen in figure 14a where the display is stored in the compartment) (col. 8, lines 4-12 and lines 28-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Winkler, having a compartment to store the display so that as motivated by Winkler, display can be fold down and stored when the device is not used or transported (col. 3, lines 65-68). Furthermore, as can be seen in figures 8 and 11-13, having the hollow space

(compartment) can be used to articulate the display in different viewing angels (abstract).

As to claim 3, as best understood by the examiner, Huilgol (figures 1, 4 and 10) shows that one of the two planes is the one created when closing and opening the computer (which is vertical) and the other is the one created by rotating the display between the portrait and the landscape orientation (which is vertical orientation).

As to claim 4, Winkler (figures 8, 11-13 and 14a-14c) teaches a portable computer (10) that includes a hollow compartment (the hollow space where the display 16 can be stored; seen specifically in figures 11-13 where the display is in open position, and seen in figure 14a where the display is stored in the compartment) (col. 8, lines 4-12 and lines 28-29).

As to claim 5, Huilgol (figures 1, 4 and 10) shows that one of the two planes is the one created when closing and opening the computer (which is vertical) and the other is the one created by rotating the display between the portrait and the landscape orientation (which is vertical orientation).

As to claim 7, as can be seen above, Huilgol (figures 1 and 10) shows that the display used as a cover top to the portable computer, but does not teach that the display screen can be used as a top cover to the hollow compartment.

However, as can be seen, Winkler (figures 1 and 8) shows the display being used to cover the hollow compartment.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Winkler, having a

compartment to store the display so as motivated by Winkler, display can be fold down and stored when the device is not used or transported (col. 3, lines 65-68).

As to claim 8, Huilgol does not expressly teach storing the keyboard (22) in a hollow compartment. However, as can be seen above, Winkler shows having a compartment to store the display. Therefore, if the teaching of Winkler of having a hollow space under the display is applied to Huilgol's device, it will also store the keyboard.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Winkler having hollow compartment to be used in Huilgol's device to store both the display and the keyboard, so as motivated by Winkler, display can be fold down and stored when the device is not used or transported (col. 3, lines 65-68).

4. Claims 14-15 are rejected under 35 U.S.C. 102(e) as being unpatentable over Moscovitch et al. (US patent NO. 6,343,006; hereinafter referred to as Moscovitch) in view of Winkler (US patent NO. 5,345,362).

As to independent claim 14, Moscovitch (figures 26-27) teaches a portable computer that includes a display screen means (12A and 12B) including first pivot-mounting means (hinged along line 134) connected to a portion of a main frame (computer C), the display-means comprising an upper (12B) and a lower display screen (12A), each one having a lower edge surface and an upper edge surface, the lower display screen having pivotally connected (first pivot; Moscovitch refers to it as hinged)

to the main frame, and the second display (12B) is pivotally (second pivot, Moscovitch refers to it as hinged) connected to the top edge of the first display (12A), the second pivot mounting means allowing rotation of the upper display screen relative to the lower display screen in one direction and preventing the rotation in the other opposite direction, whereby the upper display may be oriented with the lower display screen in the same plane in order to provide an enlarged display area (as can be seen from figures 26-27, the first and second display are connected together, and the second display is rotated (figure 27) in one direction and prevented from rotating in the second direction (figure 26) to enlarge the display area) (col. 10, lines 19-33). Moscovitch also teaches that the upper display screen may be oriented facing away from the lower display screen so that visual displays may be viewed from either side (figure 27), and the upper edge of the upper display screen serving as a support resting on a support surface when the display screen are oriented facing away from each other (col. 10, lines 26-33).

As can be seen Moscovitch teaches all the limitations of claim 14 except the newly introduced limitation about a hollow compartment to facilitate positioning, alignment and storage of display screen.

However, Winkler (figures 8, 11-13 and 14a-14c) teaches a portable computer (10) that includes a hollow compartment (the hollow space where the display 16 can be stored; seen specifically in figures 11-13 where the display is in open position, and seen in figure 14a where the display is stored in the compartment) (col. 8, lines 4-12 and lines 28-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Winkler, having a compartment to store the display so that as motivated by Winkler, display can be fold down and stored when the device is not used or transported (col. 3, lines 65-68). Furthermore, as can be seen in figures 8 and 11-13, having the hollow space (compartment) can be used to articulate the display in different viewing angels (abstract).

As to claim 15, as can be seen from figures 26-27, the lower display (12A) is connected to the main frame (computer C) and the main frame is serving as a rest (portable computer inherently supports the display on the main frame), and as can be also seen from the same figures, the rotation of the first pivot (the connection between the main frame and the lower display) is fairly close to 180 degrees rotation (see also figures 28).

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huilgol and Winkler in view of Janik et al. (US patent NO. 6,256,193; hereinafter referred to as Janik).

Huilgol and Winkler do not specifically teach an angular support means being moveable for providing support to the main frame for positioning the bottom surface of the main frame in an upwardly tilted orientation, whereby the display screen may be oriented for display during use.

However, Janik (figures 8a and 8b) show a portable computer (12) that includes a main frame (18) having a bottom surface (the bottom of the computer) and a docking plate (34) connected to the bottom surface and able to incline the portable computer in an upwardly tilted orientation (abstract and col. 6, lines 8-27).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Janik having a docking positioning device (10) to be incorporated to Huilgol and Winkler device so as motivated by Janik, the support member (10) can be rotated in multiple angle positions relative to the base housing, and therefore, elevate the display to a comfortable viewing position and increasing the space efficiency of the desktop, and to provide a maximum ergonomic and computational performance (col. 3, lines 5-10).

6. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karidis et al. (US patent NO. 6,362,440; hereinafter referred to as Karidis) in view of Janik.

As to independent claim 9, Karidis (figure 1) teaches a portable computer (100) that includes a main frame ((computer body), a display screen means (202), pivot mount (210) operatively connected to a portion of the main body, the display means includes one display screen (202) rotatably coupled to the main frame (col. 6, lines 18-27). The pivot mounting means mounting the display screen for rotation in at least one plane, and comprising a pivot mount providing at least 180 degrees of movement to the display-screen (for that, as can be seen in figures 9, 11 and 13) shown the display in

different rotations, either by having completely closed (figure 11) or completely open (figures 13 and 16)). Karidis teaches a horizontal hollow compartment (figure 11 shown the display stored inside), and wherein the display can be rotated in different angels (the display rotates between closing position and opening position in different angles). As can be also seen in figures 10 and 11, the display (202) when stored in the hollow compartment, a document (papers 150) can be stored in the hollow compartment.

Karidis does not expressly teach a bottom surface and an angular support means connected to the bottom surface, wherein the angular support means being moveable for providing a support to the main frame for positioning the bottom surface of the main frame in upwardly-oriented orientation.

However, Janik (figures 8a and 8b) show a portable computer (12) that includes a main frame (18) having a bottom surface (the bottom of the computer) and a docking plate (34) connected to the bottom surface and able to incline the portable computer in an upwardly tilted orientation (abstract and col. 6, lines 8-27).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Janik having a docking positioning device (10) to be incorporated to Karidis's device so as motivated by Janik, the support member (10) can be rotated in multiple angle positions relative to the base housing, and therefore, elevate the display to a comfortable viewing position and increasing the space efficiency of the desktop, and to provide a maximum ergonomic and computational performance (col. 3, lines 5-10).

As to claim 10, as can be seen in figures 11-12; the display screen (202) is serving as a top cover for the device.

As to claim 11, as can be seen in figure 11; the portable computer (500) includes a keyboard (204) stored inside a hollow compartment (also figure 9 shows the keyboard being stored and removed from the hollow compartment).

As to independent claim 12, the claim limitations are substantially similar to the limitations disclosed in independent claim 9, and will be analyzed as previously discussed with respect to claim 9.

As to claim 13, as can be seen in figure 11; the portable computer (500) includes a keyboard (204) stored inside a hollow compartment (also figure 9 shows the keyboard being stored and removed from the hollow compartment).

Response to Arguments

7. Applicant's arguments with respect to claim 2-8, 14-15 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments in relation to claims 9-13 have been fully considered but they are not persuasive:

On page 9, 4th paragraph Applicant's stated that in present case the references do not teach or suggest claimed apparatus. However, more comprehensive arguments needed to overcome the Examiner's rejection of the independent claims 9 and 12, as stated by Applicant's in Closing Remarks.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Telephone Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LS
01.17.06

AMR A. AWAD
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Amr A. Awad", is written over a rectangular stamp area.